STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Mr O'Hanlon
1 Centurion Court
Wilnecote
Tamworth
B77 5PN

Application no: NMA/2020/0016

Determined on: 21st July 2020

Town and Country Planning Act 1990 (as amended)

NON MATERIAL AMENDMENT FOR DEVELOPMENT

Location of Development:
Land at Cecilly Mill Oakamoor Road Cheadle Staffordshire ST10 4QT

Description of Proposal:

Non material amendment relating to SMD/2017/0660 for amendment ot wording of conditions 17 and 25 as follows:

Condition 17 - The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Cecilly Mill, Oakamoor Rood, Cheadle v1.1 dated 29th January 2018 and the following mitigation measures detailed within the FRA:
1. Finished floor levels of dwellings located within the Southern Section of the site as identified on figure 10 are set no lower than 156.47 m above Ordnance Datum (AOD).
2. Finished floor levels of dwellings located within the Northern Section of the site as identified on figure 10 are set no lower than 156.95 m above Ordnance Datum (AOD).
3. There shall be no dwellings or structures located within the buffer zone to the Cecilly Brook as shown on drawing reference 19116-3000 Rev J.
The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason To reduce the risk of flooding to the proposed development and future occupants.

Condition 25 - The reserved matters shall make provision for a buffer zone, free from development, to either side of the Cecilly Brook, as shown on drawing reference 19116-3000 Rev J. The reserved matters shall include details of the boundary treatment, landscaping and future management of the buffer zone. The buffer zone shall thereafter be provided and maintained in perpetuity in accordance with the approved details.

Reason : In the interests of ecology.

In pursuance of its powers under the above Act, the Council hereby **Approves** the proposed non material amendment for the above development in accordance with the application valid by the Local Planning Authority on 08/04/2020 and plans accompanying the application numbered 19116-3000 Rev J.

The applicant is advised that this Decision Notice should be read in conjunction with the Decision Notice approving planning application SMD/2017/0660 and that any other conditions attached to that permission still apply.

Informative

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

X

Signed by: Jane.Curley

On behalf of Staffordshire Moorlands District Council

NOTES

1. This decision notice does not convey any approval or consent which may be required under any enactment, bye-laws, order or regulation other than Section 96A of the Town and Country Planning Act 1990.

2. The application is approved in strict accordance with the approved plans. It should be noted however that:
   (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
   (b) Variation to the approved plans will require the submission of a new planning application.

3. This application is approved and may be subject to conditions from the original decision notice. It is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.staffsmoorlands.gov.uk for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
   a. If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
   b. Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

4. Any other conditions on this approval must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.